

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GOSMILE, INC., a Delaware Corporation,

Plaintiff,

-against-

DR. JONATHAN B. LEVINE, D.M.D. P.C., a  
New York corporation, and DR. JONATHAN B.  
LEVINE, an individual, GLO SCIENCE, LLC, a  
Delaware Limited Liability Company, and JBL  
RADICAL INNOVATIONS, LLC,

Defendants.

Index No. 10 CV 8663 (PKC)(DCF)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, dated November 16, 2011, the accompanying declaration of Kyle C. Bisceglie, Esq., dated November 16, 2011, and upon all pleadings and proceedings had herein, Dr. Jonathan B. Levine D.M.D. P.C. ("Levine P.C."), Dr. Jonathan B. Levine ("Dr. Levine"), GLO Science, LLC ("GLO Science,") and JBL Radical Innovations, LLC (collectively "Defendants") will move this Court before the Honorable Kevin P. Castel, United States District Judge at the United States Courthouse, 500 Pearl Street, New York, New York 10007 on a date and time to be set by the Court for an Order:

- a) Pursuant to Fed. R. Civ. P. 26(c) requiring filing of Exhibits 52, 53, 54, 55, 56, 57, 58, 59, 60, and 61 to the Declaration of Wendi Sloane dated November 8, 2011, and all portions of GoSMILE's memorandum of law describing those Exhibits, under seal; and
- b) Granting such other and further and other relief as the Court deems just and proper.

Dated: New York, New York  
November 16, 2011

OLSHAN GRUNDMAN FROME  
ROSENZWEIG & WOLOSKY LLP

By: /s/ Kyle C. Bisceglie  
Kyle C. Bisceglie  
Howard J. Smith  
Joshua S. Androphy  
*Attorneys for Defendants*  
Park Avenue Tower  
65 East 55<sup>th</sup> Street  
New York, New York 10022  
(212) 451-2300